

Fischer
(K) 54 084

Remarks

Claims 21-43 are in the case.

Claims 21-30, 42 and 43 are allowed.

Claims 31-36 are rejected.

Claims 37-41 are objected to and would be allowed if rewritten to include base claim 21 and any intervening claims.

New claims 44-50 are added.

Claims 32, 33, 37 and 38 are cancelled.

Rejection of Claims Under 35 USC 103(a)

Claims 31-36 are held unpatentable over Nakijima et. al. (Nakijima) in view of Fischer, of record.

The features of claims 32, 33, 37, and 38 are introduced into independent and hence allowable claim 31.

Claims 31-36 are not unpatentable over Nakijima in view of Fischer.

The examiner did not consider when citing Nakijima that this device is for measuring the displacement of a measured object of magnetic material without any contact (to) with the object. If the placement dome is positioned to the device of Nakijima the range of measurement will be limited with respect to the depth of the dome and the dome is designed for contact with the measurement object. This combination does not fit together because two contrary principles would be combined.

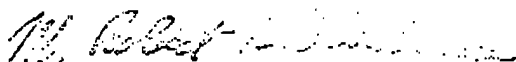
However new claim 44 and its dependent claims should be allowable because they include features held to be allowable.

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A one-month extension of time in which to respond to the outstanding Office Action is hereby requested. Credit Card Payment Form PTO-2038 is enclosed to cover the prescribed Small Entity one-month extension fee of \$55.00. Please charge any additional fees or credit any overpayments to Deposit Account 11-0665. A duplicate of this page is enclosed for this purpose.

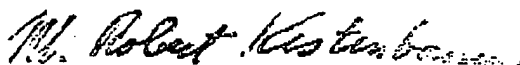
Wherefore, further consideration and allowance of the claims is respectfully requested.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to Commissioner for Patents, Washington, D.C. 20231 by facsimile transmission on May 2, 2003, fax number (703) 305-3988.



M. Robert Kestenbaum